

# INTERFERENCE INITIAL MEMORANDUM

**BOARD OF PATENT APPEALS AND INTERFERENCES: An interference is found to exist between the following cases:**

This interference involves \_\_\_\_ parties

| PARTY           | APPLICATION NO. | FILING DATE   | PATENT NO., IF ANY | ISSUE DATE, IF ANY |
|-----------------|-----------------|---------------|--------------------|--------------------|
| Ingistov, Steve | 09/288,943      | 09 April 1999 |                    |                    |

If application has been patented, have maintenance fees been paid?    1. ☐ Yes    2. ☐ No    3. ☐ Maintenance fees not yet due

**\*\*Accorded the benefit of:**

| COUNTRY | APPLICATION NO. | FILING DATE  | PATENT NO., IF ANY | ISSUE DATE, IF ANY |
|---------|-----------------|--------------|--------------------|--------------------|
| US      | 08/892738       | 15 July 1997 | 5961279            | 05 October 1999    |
| US      | 08/656564       | 31 May 1996  | Abandoned          |                    |
|         |                 |              |                    |                    |
|         |                 |              |                    |                    |

The claim(s) of this party which correspond(s) to this count is (are):

**PATENTED OR PATENTABLE PENDING CLAIMS**  
32-41

**UNPATENTABLE PENDING CLAIMS**  
None

The claim(s) of this party which does (do) not correspond to this count is (are):

**PATENTED OR PATENTABLE PENDING CLAIMS**  
None

**UNPATENTABLE PENDING CLAIMS**  
None

| PARTY          | APPLICATION NO. | FILING DATE   | PATENT NO., IF ANY | ISSUE DATE, IF ANY |
|----------------|-----------------|---------------|--------------------|--------------------|
| Bouchard et al | 08/625,427      | 26 March 1996 | 5,630,590          | 20 May 1997        |

If application has been patented, have maintenance fees been paid?    4. ☐ Yes    5. ☐ No    6. ☐ Maintenance fees not yet due

**\*\*Accorded the benefit of:**

| COUNTRY | APPLICATION NO. | FILING DATE | PATENT NO., IF ANY | ISSUE DATE, IF ANY |
|---------|-----------------|-------------|--------------------|--------------------|
|         |                 |             |                    |                    |
|         |                 |             |                    |                    |
|         |                 |             |                    |                    |
|         |                 |             |                    |                    |

The claim(s) of this party which correspond(s) to this count is (are):

**PATENTED OR PATENTABLE PENDING CLAIMS**  
1-9

**UNPATENTABLE PENDING CLAIMS**  
None

The claim(s) of this party which does (do) not correspond to this count is (are):

**PATENTED OR PATENTABLE PENDING CLAIMS**  
None

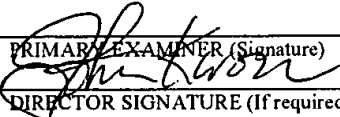
**UNPATENTABLE PENDING CLAIMS**  
None

## Instructions

1. For every patent involved in the interference, check if the maintenance fees have been paid by using PALM screen 2970 with the patent number. If fees are due and they have not been paid, the interference cannot be declared since it would involve an expired patent (35 U.S.C. 135(a); 37 CFR 1.606).
2. For each party, identify the patentable (or patented) and unpatentable (pending) claims which correspond to the count (37 CFR 1.601(f), (n); 1.609(b)(2)).
3. For each party, identify the patentable (or patented) and unpatentable (pending) claims which do not correspond to the count (37 CFR 1.609(b)(3)).
4. Forward all files including those the benefit of which is being accorded.
5. Keep a copy of the Interference Initial Memorandum and any attachments for your records.

**All information requested below must be attached on (a) separate typewritten sheet(s).**

6. On a separate sheet, set forth a single proposed interference count. If any claim of any party is exactly the same word-for-word as this count, please indicate the party, application or patent number, and the claim number.
7. For each claim designated as corresponding to the count, provide an explanation of why each claim defines the same patentable invention as the count (37 CFR 1.609(b)(2)).
8. For each claim designated as not corresponding to the count, provide an explanation of why each claim defines a separate patentable invention from the count (37 CFR 1.609(b)(3)).
9. For each additional count, if any, repeat steps 2-6 and, additionally, provide an explanation why each count represents a separate patentable invention from every other count (37 CFR 1.609(b)(1)).

|                      |   |                                |                  |
|----------------------|---|--------------------------------|------------------|
| DATE<br>08 June 2001 | PRIMARY EXAMINER (Signature)<br> | TELEPHONE NO.<br>(703) 308-104 | ART UNIT<br>3747 |
| DATE                 | DIRECTOR SIGNATURE (If required)  | REVIEWED BY                    |                  |

**\*\* The application number and filing date of each application the benefit of which is intended to be accorded must be listed. It is not sufficient to merely list the earliest application if there are intervening applications necessary for continuity.**

PTO-850 (Rev. 3-98)

**THIS PAGE CAN BE DUPLICATED IF THERE ARE MORE THAN TWO INTERFERING PARTIES.**

Art Unit: 3747

Claim 41 is the narrowest claim and is already in independent form. Claims 34 and 41 contain means plus functional limitation.

In claim 34, lines 6-7, “reconfiguring the nonrotating component to provide means for receiving and retaining (56) the brush seal (44) in tandem with the knife edge seal; and . . .”

In claim 41, line 18, “ means for fastening (56) the holder to the inner barrel member (18) .  
. . .”